

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

KEVIN MITCHELL,)	
)	
Plaintiff)	
)	CAUSE NO. 3:05-CV-264 RM
vs.)	
)	
GEORGE W. BUSH, II, <i>et al.</i> ,)	
)	
Defendants)	

MEMORANDUM AND ORDER

A group of prisoners filed a civil rights complaint. Pursuant to FED. R. CIV. P. 20 and 21, joinder was denied and this separate case was opened. Kevin Mitchell is deceased. Mark S. Hughes asserts that he holds a power of attorney for Mr. Mitchell. "[A] power of attorney terminates on the death of the principal." INDIANA CODE 30-5-10-4(a). Mr. Hughes does not allege, and based on this complaint it would not be reasonable to infer, that he is the legitimate representative of the estate of Kevin Mitchell.

For the foregoing reasons, this case is **DISMISSED WITHOUT PREJUDICE.**

SO ORDERED.

ENTERED: May 9, 2005

_____/s/ Robert L. Miller, Jr.
Chief Judge
United States District Court